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United States Department of Agriculture • Animal and Plant Health Inspection Service • Legislative and Public Affairs
4700 River Road, Riverdale, MD 20737-1232 • Voice (301) 734-7799 • Web: <http://www.aphis.usda.gov>

Contact:
R. Andre Bell (301) 734-3853
Andrea McNally (301) 734-0602

USDA Prepares Draft Environmental Assessment on Regulatory Options for Roundup Ready Sugar Beets

WASHINGTON, Nov. 2, 2010 – The U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) is advising the public it has prepared a draft environmental assessment (EA) to address a request from the Monsanto Company (Monsanto) and KWS SAAT AG (KWS) for partial deregulation or some similar administrative action to allow the continued cultivation of Roundup Ready® (RR) sugar beets under carefully tailored interim measures proposed by APHIS. The EA evaluates three options, including the agency’s preferred alternative, which would authorize production of RR sugar beets under strict APHIS permit conditions.

“APHIS takes its role in protecting plant health very seriously and is well aware of the importance of this decision for sugar beet growers and processors,” said Michael Gregoire, deputy administrator for APHIS’ biotechnology regulatory services. “We are issuing this environmental assessment to share our decision-making process as transparently as possible and allow for public comment.”

In 2005, APHIS granted nonregulated status to RR sugar beets, which have been genetically engineered to tolerate the herbicide glyphosate. However, in early 2008, the Center for Food Safety, the Sierra Club and two organic seed groups filed a lawsuit challenging APHIS, and on Sept. 21, 2009, the U.S. District Court for the Northern District of California issued a ruling invalidating APHIS’ decision to grant nonregulated status to RR sugar beets until APHIS prepared a full environmental impact statement (EIS) supporting its decision. APHIS is currently developing this EIS, which is expected to be completed by the end of May 2012.

After receiving the current request for partial deregulation or some similar administrative action from Monsanto and KWS, APHIS prepared an EA to examine the options available for regulating RR sugar beets, and is providing the public with documentation of the analysis of any environmental impacts associated with actions the agency is considering. Any action that the agency would take in response to the request for partial deregulation would be an interim measure until APHIS completes a full environmental impact statement.

APHIS examined three alternatives, including the initially requested partial deregulation:

1. Deny the request for partial deregulation or any similar administrative action. This alternative would halt any authorization of production until APHIS completes the EIS.
2. Authorize the production of RR sugar beets under APHIS permit subject to mandatory conditions to prevent any potential plant pest risks.

3. Grant the petition request for partial deregulation to allow the production of RR sugar beets. With this alternative, APHIS would grant the petition for partial deregulation and no longer regulate RR sugar beets. The cultivation would be allowed under conditions imposed by Monsanto/KWS through technology stewardship agreements, contracts or other legal instruments.

APHIS' preferred alternative is #2, authorizing the production of RR sugar beets under APHIS permit. The mandatory conditions outlined in the permits would work to minimize any potential for the escape and dissemination of plant pests and the likelihood of environmental impacts of concern raised by the Court.

This draft EA will be available for public comment for 30 days. APHIS will thoroughly review and analyze all comments received on or before Dec. 6, in order to determine whether to grant the supplemental request for partial deregulation.

Notice of this action will be published in Nov. 4 *Federal Register*.

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